

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

Maryann Butler,
Plaintiff,

Civil Action No. 1:25-cv-00690-PJC

FILED
HARRISBURG, PA

JUN 26 2025

PER 
DEPUTY CLERK

v.

New American Funding,
Defendant.

JUDICIAL NOTICE OF REGULATORY ESCALATION AND STRATEGIC ABSENCE OF MATERIAL WITNESS

Plaintiff respectfully submits this Judicial Notice for the purpose of informing the Court of active regulatory complaints filed with multiple agencies, including the California Department of Financial Protection and Innovation (DFPI), under Complaint CN0027911, concerning the subject matter of this action. These filings were initiated due to the ongoing absence and material involvement of key executive Amy Dale, Senior Vice President at New American Funding, who is reportedly on leave as of June 2025.

This notice supplements the Court's understanding of:

- The ongoing pattern of non-response and strategic delay
- Potential evidence preservation risks
- Regulatory developments involving the defendant's conduct
- The necessity of judicial oversight while sanctions and discovery remain pending

Supporting materials have been formally submitted to defense counsel and multiple agencies, including:

1. Exhibit D2 – Email server bounce-back confirming blocked communication

2. Exhibit O – Full loan file and documentation previously withheld
3. April 17 Legal Preservation Notice – No confirmation or implementation to date
4. Voicemail MP3 from loan officer Shawn Wainwright acknowledging internal failures
5. CFPB Complaint #250614-21547383 – Marked as closed, despite documented evidence of false representations made by Amy Dale regarding the loan file, portal activity, and borrower conduct. The complaint was closed without correction, and the misstatements remain unresolved.
6. Exhibit 5 – Pennsylvania Department of State registration record showing New American Funding is actively registered to do business in Pennsylvania. Despite formal notice of this federal lawsuit, there is no indication that Defendant amended its regulatory filings or notified its insurance carrier. This failure may result in denial of coverage and reflects continued bad faith conduct and evasion of disclosure obligations.

The Plaintiff asserts that this notice is critical in establishing:

- Defendant's exposure to compounding liability across civil and regulatory tracks
- The material relevance of witness Amy Dale and any defense filings produced in her absence
- The potential for further judicial economy disruption if procedural misconduct continues

This submission is not a motion, but rather a good-faith notice to ensure the Court is fully apprised of the surrounding context as it considers pending motions and future scheduling.

Respectfully submitted,


Audury Petie Davis

Authorized Representative for Plaintiff

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Harrisburg, PA 17103

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VERIFICATION / DECLARATION

I, Audury Petie Davis, hereby declare under penalty of perjury that the information contained in this Judicial Notice is true and correct to the best of my knowledge, information, and belief.

Executed on: June 25, 2025

/s/ Audury Petie Davis

Audury Petie Davis



Authorized Representative for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Judicial Notice was served upon the following by electronic filing via PACER and by email:

James McNally, Esq.

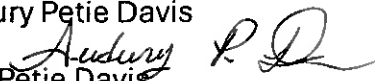
Counsel for Defendant

New American Funding

Executed on: June 25, 2025

/s/ Audury Petie Davis

Audury Petie Davis



Authorized Representative for Plaintiff